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Attorneys for the Defendants

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
BUTTE DIVISION**

BOZEMAN SHOPPING CENTER,)	
LLC, a Montana Limited Liability)	
Company,)	CV-14-1-BU-SEH
)	
Plaintiff/Counterclaim)	
Defendant,)	DEFENDANTS' MOTION
)	FOR COSTS & FEES
vs.)	
)	
LUCKY'S FARMERS MARKET OF)	
BOZEMAN, LLC, a Montana Limited)	
Liability Company, and MICHAEL)	
GILLILAND, individually;)	
)	
Defendants/Counterclaimants.)	

Plaintiff/Counterclaim Defendant (“Plaintiff”) has filed a motion to remand nearly seven months after removal. (*Compare* Doc. 1 *with* Doc. 23.) As a result, Defendants/Counterclaimants Lucky’s Farmers Market of Bozeman, LLC, and Michael Gilliland (collectively “Lucky’s”) respectfully request that the Court order Plaintiff to pay the just costs and attorneys’ fees incurred by Lucky’s as a result of seven months of unnecessary federal litigation. Lucky’s concedes that complete diversity does not exist, but seeks to recover its fees and costs due to Plaintiff’s unreasonable and lengthy delay in disclosing its citizenship information and filing its remand motion. Plaintiff opposes this motion, but the parties continue to work towards a resolution of this issue.

DATED this 9th day of July, 2014.

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By: /s/ Jason T. Pink

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